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Attorney Docket No.: IFS-001 05/01/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: Heinz et al.

Serial No.: 10/001,524

Filed: October 24, 2001

For: SYSTEM AND METHOD FOR  
ETHERNET OPTICAL AREA NETWORK

Examiner:

Group Art Unit

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Technology Center 2600

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for: (a) pending applications or (b) those previously cited or submitted to the Office in the following application(s) upon which this application relies for an earlier filing date under 35 U.S.C. 120:

Serial No.: \_\_\_\_\_

Filing Date: \_\_\_\_\_

Regarding the document(s), publication(s) or other information listed on the attached PTO-1449, Applicant(s) believe(s) the same may qualify as "prior" art to this application and should be treated accordingly, although Applicant(s) reserve(s) the right to contest the prior art status of any document, publication or information cited herein.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

(a) \_\_\_\_ Copy of each English language version of a search report indicating the degree of relevance found by the foreign office of each document being submitted from the search report.

(b) \_\_\_\_ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents."

3. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed (one must be checked):

(a) \_\_\_\_ Within 3 months of the filing date or date of entry into the National Stage.

(b) X Before the mailing date of a first Office Action on the merits. If this Statement is not filed before the mailing date of a first Office Action on the merits, the required certification is given below or, in the absence thereof, the Office is authorized to charge the required fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 50-0251 for consideration of this Statement.

(c) \_\_\_\_ After the period set forth in 37 C.F.R. 1.97(b) but before the mailing date of either a final action or a notice of allowance.

(1) \_\_\_\_ The required certification is given below, or

(2) \_\_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement, or

(3) \_\_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(p) to Deposit Account No. 50-0251.

(d) \_\_\_\_ After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.

(1) \_\_\_\_ Enclosed is a check covering the fee set forth in 37 C.F.R. 1.17(i)(1), or

(2) \_\_\_\_ Charge the fee set forth in 37 C.F.R. 1.17(i)(1) to Deposit Account No. 50-0251.

4. Certification (if applicable)

(a) \_\_\_\_ The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in

a counterpart foreign application not more than 3 months prior to the filing of this Statement.

- (b) \_\_\_\_\_ The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees or credit any overpayment to Deposit Account No. 50-0251.

Respectfully submitted,



Alan R. Loudermilk

Registration No. 32,788

Attorney for Applicant(s)

Date: April 7, 2003  
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I hereby certify that the foregoing is being deposited with the U.S. Postal Service, Express Mail No. EL675735126US, to Assistant Commissioner for Patents, Washington, DC 20231 this 7th day of April, 2003.



By: Karen A. Rogers

Form PTO-1449  
(REV. 7-92)U.S. DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAttorney's Docket Number  
IFS-001

Serial No.

10/001,524  
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**INFORMATION DISCLOSURE STATEMENT****BY APPLICANT**

(Use several sheets if necessary)



Applicant(s): Heinz et al.

Technology Center 2600

Filing Date: 10/24/2001

Group Art Unit

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4	0	6	3	2	2	0	12/13/77	Metcalf et al.	340	147	
	6	0	6	7	1	7	9	05/23/00	Roberts et al.	359	176	
	6	1	0	4	7	0	0	08/15/00	Haddock et al.	370	235	
	6	1	8	5	0	2	3	02/06/01	Mizrahi	359	130	
	6	1	9	8	5	5	6	03/06/01	Mizrahi	359	124	
	6	3	5	9	8	8	2	03/19/02	Robles et al.	370	389	
	6	3	6	6	5	8	4	04/02/02	Gulliford et al.	370	403	

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
												YES	NO
	EP	3	3	5	5	6	2	10/04/89	EPO				
✓	WO	98	1	0	5	6	6	03/12/98	WIPO				
✓	WO	99	6	2	2	2	4	12/02/99	WIPO				
✓	WO	00	0	4	6	6	0	01/27/00	WIPO				
✓	WO	01	2	4	1	3	4	04/05/01	WIPO				

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

	"Building New-Generation Metropolitan Area Networks", White Paper, Extreme Networks, 2000.
	"Fiber Optic Infrastructure", White Paper, Extreme Networks, 2000.
	Held, Gilbert, "Understanding Data Communications", 6 <sup>th</sup> Ed., Indianapolis: New Riders, 1999, Ch. 7-pp. 263-286 and Ch. 11-pp. 414-427.
	IEEE: Standards for Local and Metropolitan Area Networks: Overview and Architecture, 12/31/1990.
	"Policy Based Quality of Service for Service Providers", White Paper, Extreme Networks, 2000.
	Ramaswami, R. and Kumar N. Sivarajan, "Optical Networks: A Practical Perspective", New York, Morgan Kaufmann Publishers, 1998.
	Rockwell, David A. and G. Stephen Mecherle, "Optical Wireless: Low Cost, Broadband, Optical Access", SONA Communications Corp., Canada.

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.